

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 32-33, 36-38, 40-41, 43-45, and 47-50 are pending in the application with the present amendments and are presented for the Examiner's consideration in view of the following remarks.

The Examiner's indication in the final Office Action as to the allowability of claims 33, 38, 41, and 45 is appreciated. In the final Office Action, the Examiner rejected claims 32, 36-38, 40, 43, 44 and 47 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,872,588 issued February 16, 1999 to Aras et al. ("Aras") in view of U.S. Patent No. 6,111,872 issued August 29, 2000 to Suematsu et al. ("Suematsu"). For the reasons set forth below, Applicants respectfully submit that the presently pending claims overcome the rejections.

As now recited in claims 32 and 47, a broadcast-program selection history information acquisition apparatus is operable in a system including a multiplicity of said broadcast-program selection history information acquisition apparatuses and a notification station. The claimed apparatus transmits the selection history information to the notification station at a transmission timing which is assigned at random in accordance with an intrinsic number. Hence, the claimed apparatus is of many apparatuses that transmit selection history information to the notification station, and does so at a transmission timing assigned at random in accordance to an intrinsic random number. Thus, each of the claimed apparatus operates in a system in a "many-to-one" system in which many units of the claimed apparatus transmit to the notification station. The invention claimed in claims 32, 40 and 47 addresses the problem of scheduling transmissions from the many apparatuses to the

notification station in a way that avoids overloading the notification station with too many incoming transmissions at the same time. The assignment of a transmission timing to the claimed apparatus in accordance with a random number allows it to transmit to the notification station way in which a multiplicity of such apparatuses can transmit to the notification station, and the notification station can receive the transmitted information from a multiplicity of the apparatuses. The particular difficulties of scheduling the transmissions of a large number of transmitting units to a notification station prompt the assignment of a transmission timing according to an intrinsic random number.

The combination of *Aras* and *Suematsu* neither teach nor suggest these features of the presently claimed invention. While *Aras* describes a system in which data is collected from home stations for reporting to a behavior collection center (BCC), *Aras* does not describe the timing of transmissions to the behavior collection center.

Suematsu does not provide the teachings which *Aras* lacks regarding the presently claimed invention. As described in *Suematsu*, a single master station transmits at a timing determined by a random number only for re-transmission of data, not for the primary transmission. Further, the master station transmits only to a particular remote station from which it fails to receive acknowledgement of the data being received. (col. 7, lns. 28-41). Thus, transmission by the master station at a randomly determined timing is only used for "one-to-one" communication in a system in which the master station operates as one master station among many remote stations. Moreover, the random transmission timing is provided by a random number series which is unique to the particular remote station to which the master station transmits. (col. 6, lns. 40-48).

Clearly, such is the opposite of the topology of the system in which the claimed apparatus of the present invention is operable. As presently claimed, the broadcast-program selection history information acquisition apparatuses according to claims 32 and 47 are operable in a system in which a multiplicity of such apparatuses transmit to the notification station. Claim 40 now recites providing a multiplicity of broadcast-program selection history information acquisition apparatuses, and transmitting selection history from said apparatuses to a notification station at a transmission timing assigned at random. Suematsu neither teaches nor suggests transmitting from a unit of a multiplicity of transmitting units, to a receiving unit to which that unit and the multiplicity of units transmit.

New claims 48 through 50 claim apparatuses and method which are believed to be distinguished over the art of record in this application. Such claims recite broadcast-program selection history information acquisition apparatuses in which the apparatus is operable to transmit a header including an identification number which includes a telephone number of the user.

Support for the present amendments is provided at page 27, lines 7 through 21, and page 24, 10 through 14 of the Specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone the undersigned at (908) 654-5000 in order to overcome any additional objections that the Examiner might have.

Application No.: 09/238,261

Docket No.: SONYJP 3.0-051

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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